

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION**

TYLER TECHNOLOGIES, INC.,

Plaintiff,

V.

Case No. 4:20-cv-00173-TWP-DML

LEXUR ENTERPRISES INC., ROBERT FRY,
JIMMY DAVIS, JOE THORNSBERRY,
AND JOHN DOES 1-100

Defendants.

DEFENDANT LEXUR ENTERPRISES INC.'S MOTION TO STAY DISCOVERY

Defendant Lexur Enterprises Inc. (“Lexur”), by counsel pursuant to Federal Rule of Civil Procedure 26, hereby submits this Motion to Stay Discovery. In support, Lexur states:

1. On August 10, 2020, Plaintiff Tyler Technologies, Inc. (“Tyler”) filed its Complaint alleging violations of federal and state antitrust law as well as state law claims for tortious interference with contract, tortious interference with business relationships, and civil conspiracy against Lexur. (Dkt. 1).

2. On September 29, 2020, Lexur filed its Motion to Dismiss Plaintiff’s Complaint along with an accompanying brief. (Dkt, 29, 30). If successful, Lexur’s Motion to Dismiss would dismiss all claims against Lexur. This Court has yet to rule on Lexur’s Motion.

3. On February 10, 2021, Tyler served its First Set of Requests for Production to Lexur, seeking numerous documents concerning Lexur's business plans, strategies and correspondence with clients.

4. As discussed in detail in Lexur's Brief in Support of Motion to Stay Discovery, filed contemporaneously with this Motion and incorporated herein by reference, Tyler's proposed discovery represents a substantial and undue burden upon Lexur due to the nature of Tyler's claims and subject matter of discovery sought by Tyler.

5. Under Federal Rule of Civil Procedure 26, this Court may limit the scope and sequence of discovery, particularly when a motion to dismiss antitrust claims is pending.

6. For the reasons set forth in this Motion and Lexur's Brief, this Court should stay all discovery in this matter pending the resolution of Lexur's Motion to Dismiss.

WHEREFORE, Defendant Lexur Enterprises, Inc., by counsel, respectfully requests that this Court enter an Order staying all discovery in this matter until this Court rules upon Lexur's pending Motion to Dismiss, and for all other just and proper relief.

Respectfully submitted,

LEWIS WAGNER, LLP

By /s/Aaron D. Grant
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Counsel for Defendant Lexur Enterprises, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on March 2, 2021, a copy of the foregoing was filed electronically. Service of this filing will be made on all ECF-registered counsel by operation of the court's electronic filing system. Parties may access this filing through the court's system.

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